

DR. FLETCHER
ON THE
RIGHTS, AND PREROGATIVES,
OF THE
CHURCH, AND STATE.

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THOUGHTS

RIGHTS, AND PREEMINENCE

CHURCH, AND STATE.



Printed by J. J. P. & Co. 10, New Street, London.

WILLIAM HENRY LESTER, AND J. H. LESTER,

PRINTERS, 10, NEW STREET, LONDON.

1851

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RIGHTS, AND PREROGATIVES,
OF THE
CHURCH, AND STATE;
WITH
SOME OBSERVATIONS
UPON
THE QUESTION
OF
CATHOLIC SECURITIES.

By THE REV. J. FLETCHER, D. D.

Render therefore unto Cæsar, the things, which are Cæsar's; and unto God,
the things, that are God's.—*Matt. xxii. 21.*

LONDON:

Printed by A. J. Valpy, Red Lion Court, Fleet Street.

SOLD BY MESSRS. SIMPKIN AND MARSHALL,
STATIONERS' COURT; BOOKER, BOND STREET; AND
KEATING, DUKE STREET, GROSVENOR SQUARE.

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By THE REV. J. MITCHELL, D.D.

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PREFACE.

WHETHER we consult the dictates of natural reason, or the positive decrees of Divine Revelation, we alike discover that, in conformity to the nature of our present situation, and to the ends of our future destiny, there exists a two-fold order of things:—*a temporal*, for the regulation of what relates to this life; *a spiritual*, for the direction of what regards the next;—the former, established to maintain harmony in society; the latter, to prepare immortal happiness in Heaven.

The Almighty, by the mere act of our creation, possesses a complete authority over his creatures. We are, thus, the work of his hands ; and belonging entirely to him, we are, consequently, entirely subject also to the control of his dominion.

This dominion, however, he is pleased, in his wisdom, to exercise over us, not always, immediately by Himself, but by the agency, often, of secondary instruments. He does it, through the medium of individuals, whom he invests with certain powers ; and delegates to act, as commissioners in his name.

Man is formed to live, here, in society. This is a truth, which every thing within his own breast, as well as every thing around him, demonstrates ; — his feelings and his faculties ; his wants, and his necessities.

But, society could not possibly subsist

long, unless its members were linked together by the prospects of some common end, resulting from the experience of some common interest; by the influences of some common laws, directing them to the attainment of this end; and by the impulse, above all, of some common authority, enforcing the observance of these laws. So that it is this;—it is *authority*, emanating immediately from the will of God, that is the real source, and foundation, of all social order.

In fact, only take away this principle, and there is not, in reality, any thing, that can bind mankind together; or preserve, for any length of time, the relations of mutual concord. Such is the force of the human passions; and such the influences of human self-love, that these would, at once, if not restrained by the hand of power, hurry their unthinking victims into the ex-

travagances of licentiousness; and render the walks of life one general scene of anarchy.

Neither is this alone the case; but it is moreover true, that, without the above principle of a delegated authority from above, there would not even exist, anywhere, such a right, as that of one individual being justly entitled to rule, or command, another. If the parent himself possess such right over his own children, it is merely in virtue of a commission from Him, "*from whom all paternity is derived.*"

Man is created, likewise, for a life hereafter. Indeed, he is placed here, solely for the important purpose of fitting himself for this grand, and immortal, destiny. This, too, is a truth, which not revelation only, but reason itself, makes manifest.

Here, consequently, begins another order of things, — distinct, and separate,

—as its end, and aim, are distinct and separate,—from the preceding. Being designed, and established, for the worship of the Almighty, and for the attainment of salvation,—so, of course, its duties, and obligations; its laws, and institutions; its rights, and its prerogatives,—analogous to its sacred purposes,—are divine and spiritual things. They are acts of adoration, sacrifice, faith, mysteries, sacraments; in short, all the instruments of grace, and the principles of sanctification.

A spiritual order of things demands a *spiritual authority* to maintain it. For, if a temporal authority be essential, in order to preserve harmony in social life, a spiritual authority must, of course, be at least equally so, in order to preserve harmony in religion. To expect harmony in religion—the unity of truth, or the union of piety,—without such principle, would be

a downright absurdity. Exactly, therefore, as temporal authority is the platform of order in the state,—so is *spiritual authority*,—conformably to the spiritual nature of religion,—the real foundation of concord in the church.

From the circumstance of the palpable difference, which subsists between these two principles, or tribunals, it becomes a matter of infinite importance, that the public, distinguishing wisely between them, should understand correctly; and appreciate, with prudence, their respective rights, and prerogatives, — not confounding the jurisdiction of the one with the power of the other; nor considering the submission, which is paid to the former, as at all interfering with the obedience, which is due to the latter. The neglect of this distinction, whilst it is manifestly a piece of inconsistency, is, at the same time, an

evil that is pregnant with great disorders. It is a source of confusion, of error, of injustice, &c.

It is of the neglect of this distinction,—which is hardly ever made by the adversaries of the Catholic religion,—that the English Roman Catholic has, in particular, the justest reasons to complain. It is hence,—that is, because the Protestant will not make it, in our regard, that we are still viewed with jealousy, and treated with unkind suspicion ;—hence, that we still labour under a system of illiberal, and unmerited, exclusion from the general benefits of the State.

The submission, then, which as Catholics, we pay, either to the authority of the Catholic Church, or to the person of its supreme Pastor,—the Pope,—does not lessen,—as for want of this distinction, the Protestant imagines, that it lessens,—either the

fidelity, which, as citizens, we owe to the State; or the allegiance, which, as subjects, we are bound to pay to our Sovereign. It, in no respect, militates against either of these obligations. It is a mere act of religion, not at all interfering with any civil duty—a *purely spiritual thing, relating to purely spiritual objects.*

Such, therefore, is the general outline of the questions, which I have attempted to elucidate in the succeeding pages. I have attempted, therein, to show, what are the real, and appropriate, characters of those two great institutions, by which mankind are governed,—the Authority of the Church, and the Power of the State;—to point out their relative rights, and peculiar privileges; and to define the separate obligations, which belong respectively to each of them. To my observations upon these subjects, I have superadded, likewise, by the way

of corollary, a few reflections upon those often debated points, stiled usually, — “ Catholic Emancipation, and Catholic “ Securities.”

The discussion of these subjects, interesting at all times, is particularly important, at the present period; when the spirit of insubordination, and licentiousness; when error, and incredulity, are become so general. It is calculated,—since it points out the will of God, and the order of the divine economy,—to promote harmony in society; and piety in religion; to augment the willingness of submission towards the Prince, and the readiness of obedience towards the Pastor; and to give, therefore, additional stability to the throne, and increased security to the altar. There is, too, still farther, this other advantage in it, relating to the Roman Catholic;—that, proving as it does, the manifest distinction,

which subsists between the spiritual, and the temporal, power, so it evinces, likewise, the injustice of those penal provisions, which, in this country,—upon the alleged but groundless pretext of our religious principles,—continue to restrict us still.

If there be one disadvantage, or one injury, which, beyond any other, the Catholics have, at present, peculiar reasons to deplore, it is that ignorance,—even that astonishing ignorance,—which prevails in this country, respecting the principles of the Catholic religion; and which prevails, too, not only amongst the vulgar, and illiterate, portions of the Protestant community, but even amongst its best educated members,—its writers, its legislators; nay, (I judge from their works, and discourses) its very clergy. The ignorance of our religion amongst all these is, *with very few exceptions*,—extreme. And it is this un-

fortunate circumstance, that is the leading cause of those various evils, and injustices, under which we have been so long, and are still, condemned to labour. It is *this* that is the real source of those prejudices, and of that ill-will; of those insults, and calumnies; of that bigotry, and rancour, which, still, everywhere, and every day, assail us so illiberally;—*this*, that forms the chief obstacle to that act of justice, which would give us back our birthrights. The Protestant does not know our religion; therefore, he is full of prejudices against it. He is full of prejudices against it; and, therefore, will not study it. His prejudices are the *effects*: his ignorance is the *cause*.

For this reason,—since the removal of a cause would prove, eventually, the removal also of its effects,—if there be one advantage, or one benefit, which, beyond

another, we are now, as Catholics, particularly anxious to attain, it is this,—not that the Protestant should, forthwith, give up his prejudices, or resign his ill-will, against our religion ;—not that he should at once believe our doctrines, or revere our principles, but,—merely that he should endeavour to *reform his ignorance* ; study our doctrines with *candour* and *sincerity* ; and ascertain our principles with enlightened accuracy. This is what, beyond every other circumstance, we most desire : as, surely, to do this, ought to appear to the Protestant, not only an act of justice, and a piece of consistency with his own maxims, but a very strict obligation : since it is upon the basis of correct knowledge, and of well-founded convictions, that reposes the security of future happiness. Wherefore, let the Protestant but do this. The consequences will be, soon, to us most

fortunate. For, soon discovering the mistaken notions, which, hitherto, he had entertained of the Catholic religion, he will soon, also, discard his prejudices against it; he will own the injustice of his former suspicions and hostility; and, instead of censuring, applaud loudly that important measure, which, repairing in part the injuries of two centuries of persecution, would restore to the Catholic body those rights, which it has, hitherto, solicited, so long, in vain. The correct, and general, knowledge of our religion would have the effect of producing an increased spirit of harmony in society, and of unity in the church.

It was, by the diffusion, therefore, of this blessed Spirit, still more than by any other principle, that our divine Redeemer, we may remark, had designed to pro-

mote, both the happiness of this life, and the security of the next. It was, hence, that, addressing his Eternal Father, he was pleased so ardently to pray, that those, who, through the preaching of the Apostles, had the advantage to believe in Him, might be, all of them, distinguished, in a peculiar manner, by this amiable characteristic :—*That they all may be ONE as thou, Father, in me, and I in thee ; that they also may be ONE in us ; that the world may believe, that thou hast sent me : that they may be ONE, even as we are ONE, I in thee, and thou in me : and that they may be made PERFECT in ONE.*—John xvii.

And may it, then, so happen,—may this be the fortunate fruit of these few pages,—that they, too, contribute, at all events, a something to propagate this important virtue,—this blessed spirit of harmony, and

love! It is with this desire solely, that I have composed them; and with this design alone, that I, now, am induced to present them to the public.

CHAPTER I.

On the Origin, Duration, and Mutual Interdependence, of the Civil and Ecclesiastical Powers.

I. The Almighty Lord, and Ruler, of heaven and earth, to whose dominion every creature is necessarily subject, has instituted two distinct and separate powers, for the government of mankind:—the civil, for their temporal government in every thing, that relates to this world; and the ecclesiastical, for their spiritual government, in those things, that relate to the other world, and to the salvation of the soul.

II. The civil power was ordained, in general, by the Providence of God, in the original institution of civil society. But the determination of these particular forms, and

THOUGHTS, &c.

CHAPTER I.

On the Origin, Distinction, and Mutual Interdependence, of the Civil, and Ecclesiastical, Powers.

I. THE Almighty Lord, and Ruler, of heaven and earth, to whose dominion every creature is essentially subject, has instituted two distinct, and separate, powers, for the government of mankind :—*the civil*, for their temporal government, in every thing, that relates directly, and immediately, to the right order of social life ;—*the ecclesiastical*, for their spiritual government, in those things, that relate directly, and immediately, to the divine worship, and to the salvation of the soul.

II. The *civil* power was ordained, in general, by the Providence of God, in the original institution of civil society. But, the determination of those particular forms, and

modifications, of civil governments, by which this power was, in the progress of ages, to be exercised, was left to the choice of men, accordingly as they formed themselves into separate states; or united themselves together, as bodies politic, by the bond of one common temporal interest.

“That civil society,” says Puffendorf, “might be held together, as a community, and obtain the end, for which it was established; a certain relative order of authority to govern, and of subjection to governing authority, was instituted by the Deity, as an ordinance of the law of nature. According to the will of God, and the dictate of natural reason, there must exist a sovereign authority; that is, an authority, independent of the control of any other authority on earth; subordinate, indeed, to God, and second only to His; —governing, with vicarial power, derived from Him. Such is the sovereign authority of the *civil power*. But, whether this sovereign authority is to be deposited in the hands of one, or of many; or what

“ is the form of government, by which it is
 “ to be exercised,—these are points, which
 “ have been left to be settled by human
 “ conventions.”—De Jure Nat. et Gent.
 Lib. vii. c. 3. n. 2.

III. The *ecclesiastical power*, under the Christian covenant, was instituted immediately by Jesus Christ. He did this, when he framed the constitution of his church; and when he appointed the authorities, by which it was to be governed. “ *I*,” he said, “ *I will build my church* ;” (Matt. xvi. 18.) reserving thus to Himself the order of its constitution; precisely as the wisdom of God had consigned to the choice of men the forms, and order, of civil governments.

Establishing his church, our divine Redeemer has founded it upon the principles of *unity, and universality*. Ordained to be extended, and diffused, throughout all the nations of the earth, this immense society was still to be holden together, as only *one* building, reposing upon *one* principal corner stone,—the supreme, but spiritual, authority of *one* great ruler, to whose jurisdiction all

other authorities, constituted to govern the different departments of the divine institution, were designed to be subordinate. “*Thou art Peter,*” said Christ to this Apostle,—“AND UPON THIS ROCK *I will build* “*my church.*”—It is true, the faith, and the government, of the church were intended to be supported, likewise, by the authority, which this holy Legislator imparted to all his Apostles. But, they were still to be supported, and holden together in the bands of unity, by the authority principally of Peter,—the secondary corner stone, resting upon Christ himself, who is the real basis, or primary corner stone, of this spiritual edifice,—his *one*, and yet *universal*, church.

Speaking of this sacred institution, under the figure of a sheep-fold, this divine Being has said: “*There shall be ONE fold, and ONE* “*shepherd*”(John x.16). It was, consequently, the design of His wisdom, in forming the constitution of his church, that there should be one supreme Pastor, or Ruler, established in it, whose authority should extend over the government of the whole. Accordingly,

it was to Peter, that he did impart this supreme authority over his whole flock—that is, over the whole church,—on the occasion, when he said to him: “*Feed my lambs: feed my sheep.*” (John xxi. 16, 17.) His lambs, and his sheep, constitute his whole flock. Christ, therefore, by these words, appointed Peter to rule, not only his “lambs,”—that is, the general body of the faithful; but, moreover, their spiritual parents,—that is, the ministers of his church, designated by the name of his “sheep.” Hence, it is with subordination to the supreme pastoral power of Peter, that bishops are appointed *to rule the church of God.* Acts xx. 28.

Such is the constitutional form of the ecclesiastical government, instituted by our divine Redeemer for the regulation of his spiritual kingdom on earth. He has established an order of sacred ministers in it; imparting to them authority to govern, and to teach, its subjects. But, by a gradual subordination of inferior to superior authority, he has ordained, that all shall be subject to the power of one supreme Ruler,

The emperor Justinian explains the origin, and the distinction, of the ecclesiastical, and civil powers, in the following words: “*God* has, in his goodness, bestowed two great gifts upon mankind,—the sacerdotal, and the civil, powers;—the sacerdotal, in order to administer divine blessings to mankind;—the civil, to preside, with vigilance, over the human interests of society. These two powers, derived from one, and the same, principle, are the great lights, and ornaments of society.”

IV. The *ends*, for which the *civil*, and the *ecclesiastical*, powers have been ordained; and the *means*, which they are authorised to make use of, for the attainment of their respective ends, are objects, totally distinct. The civil power is in the *natural* order of things; the ecclesiastical, in the *supernatural*. The *end* of the *civil* power, is the maintenance of order, and of public peace, in the state;—the preservation of life, liberty, and property, to the subject. The *end* of the *ecclesiastical* power, is the guardianship of the faith, and institutions of

Jesus Christ; the regulation of the duties of the divine worship; the sanctification of the souls of men; and their preparation for eternal life,—that “they may receive the end of their faith, even the salvation of their souls.” 1 Peter i. 9.

As *means* ought, in the nature of things, to be of the same order with their *ends*,—so, of course, the *means*, which respectively belong to the *civil*, and to the *ecclesiastical*, powers, ought likewise, to be as distinct, as *natural* is from *supernatural*; and as *temporal* is from *spiritual*.

V. The *interference* of one power with the other may be, either *direct*, or *indirect*. If the ministers of the *ecclesiastical* power were to interfere in the rights, or acts, of the civil power, *for the purpose* of promoting merely the *temporal ends* of the government of the state, their interference, in such case, would be *direct*. If they were to interfere in this manner, *for the purpose* of promoting, by civil means, the *spiritual ends* of the government of the church,—that is, *in ordine ad spiritualia*,—their interference then would

be *indirect*. In like manner, therefore, if the ministers of the *civil* power were to interfere in the rights, and acts, of the ecclesiastical power, *for the purpose* merely of promoting the *spiritual ends* of the government of the church of Christ, their interference would, on such occasion, be *direct*. If they were to interfere thus, *for the purpose* of promoting, by ecclesiastical means, the *temporal ends* of the government of the state,—*in ordine ad temporalia*,—their interference then would be *indirect*.¹

The church of Christ has no right, *inherent* to it, to interfere, either directly, or in-

¹ By the term, *spiritual*, is here meant that, which, in its nature, tends *directly* to a *supernatural* end; or is ordained to produce a *supernatural* effect. Thus, the office of teaching the doctrines of faith; the administration of the sacraments; the collation of *purely* ecclesiastical jurisdiction, are *spiritual* matters.

By the term, *temporal*, is meant that, which tends *directly* to the natural end of *civil* society. Thus, the right of making laws for the civil government of the state; the administration of civil justice; the appointment of civil magistrates, and military officers, are *temporal* matters.

directly, in the government of the state. Neither has the state, in like manner, any *inherent* claim to interfere, directly, or indirectly, in the government of the church of Christ.

The doctrine, contrary to this, would lead to confusion, and disorder, both in the church, and in the state. For, one power cannot arrogate to itself the inherent right of interfering, either directly, or indirectly, in the duties, or in the exercise of the prerogatives, of the other, without sanctioning the principle of a similar right, and of similar acts, of interference, on the part of such power, in its own regard.

VI. The *civil* power is supreme, *in suo ordine*. It possesses all the rights, and all the means, which properly belong to a perfect government. In matters, which appertain to the temporal government of the state, it does not depend, in any respect, either directly, or indirectly, upon the ecclesiastical power.

The *civil* power was ordained by the Author of Nature, and the divine Founder

of *civil* society. Consequently,—unless it be subjected by him to some other power,—it must be, *in suo ordine*, supreme and independent. God has not, in any manner, subjected the civil to the ecclesiastical, power.

Neither has this been done by the wisdom of our divine Redeemer. On the contrary, founding his sacred establishment, he declared, that, “his kingdom was not of

“this world.” He said, indeed, that “all power was given to Him, in heaven, and “on earth.” (Matt. xxviii. 18.) And yet, so far was he from changing the order, established by Providence, for the independent government of civil society, that he commanded his apostles, and his followers, to *render to Cæsar, what belongs to Cæsar; whilst they render to God, what belongs to God.* Matt. xxii. 21.

It was to the civil power, that St. Paul particularly referred, when he said: *Let every soul be subject to higher powers: for, there is no power but from God: and those, that are, are ordained of God. Therefore,*

he, that resisteth the power, resisteth the ordinance of God. Wherefore, be subject, of necessity; not only for wrath: but, also, for conscience sake. For, therefore, you pay tribute: for, they are the ministers of God, serving unto this purpose. Render, therefore, to all men their dues. Rom. xiii. 1, 2. 5, 6, 7.

It was thus, in like manner,—by arguments, such as these of St. Paul,—that the rest of the apostles pressed upon the public mind the strict obligation of a conscientious submission to the authority of the civil government. It was the doctrine, too, inculcated incessantly, and very urgently, by the bishops, and fathers, of the Christian church, during all its best, and brightest, ages. It follows, therefore, from these circumstances, that the church itself acknowledged the supreme independence of the civil power, in relation to all those objects, which belong to the order of the temporal government. Indeed, we seek in vain, both in the pages of the sacred Scripture, and in the annals of primitive tradition, for a vestige of the contrary doctrine; for the

vestige, that is, of such an opinion, that, Christ Jesus, when he formed his church, subjected the civil power, either directly, or indirectly, to the control of the ecclesiastical power.

VII. The *ecclesiastical* power of the church of Christ is supreme, *in suo ordine*. It possesses all the rights, and all the means, which belong properly to a perfect order of government. In relation to all those objects, which are of a nature purely spiritual; or which regard the spiritual government of the faithful, it does not, in any manner, depend either directly, or indirectly, upon the authority of the *civil* power.

The *ecclesiastical* power was instituted, as I have said already, immediately by Christ himself, the divine legislator of the church, and the author of sanctification. Consequently, it must be, *in suo ordine*, supreme and independent; unless it were subjected by him to some other authority. Christ did not, however, in any manner, subject the ecclesiastical to the civil power.

The spiritual power, which this divine

Being exercised on earth, was supreme and independent. And there can be no power, or authority, either to teach his doctrines; to administer his sacraments; or to rule his fold, save that, which has been derived from himself. It was not, then, to emperors, or kings; not to princes, or civil governors, that he communicated these prerogatives, or this spiritual power, but to his apostles, and to their lawful successors, in that sacred ministry, which he had established. It is a reflection, too, which merits notice, that the individuals, whom he first chose in his infinite wisdom to be his apostles, and his ministers in establishing, and governing his church, were a set of men, possessing neither any rank, nor any authority in civil society; in order, no doubt, to shew, that the power, which he gave them for the spiritual government of the faithful, was not designed to be engrafted upon the human stock of the civil power.

Completely independent himself of the civil power, in relation to the mission, which, as man, he had received from the

sanctions of his Eternal Father, Christ likewise communicated this same independence to the mission of his apostles ;—that is, he imparted to his apostles, and to their lawful successors in the pastoral ministry, that same power to perform the spiritual duties of their spiritual charge, which he had laid claim to for himself. As,—that is, exactly in the same way,—*As the Father hath sent me, I also send you.* (John xx. 21.) To St. Peter he said : *I will give to thee the keys of the kingdom of heaven.* Matt. xvi. 19. This spiritual authority, expressed by the figure of the keys of the kingdom of heaven, was thus conferred, not through the medium of the civil power ; nor yet, ordained to be held with any dependance upon such power ; it was conferred, wholly, and immediately, by Christ himself upon his minister.

Having, therefore, in this manner, established in his church a spiritual tribunal, this divine Being, in the next place, ordained, as a necessary consequence resulting from it, that the faithful should be strictly tied,

and under the severest penalties obliged, to submit to the guidance of its authority. *Tell the church*, he says, (that is, denounce to this tribunal, the cause between thyself, and thy brother) *and if he will not hear the church, let him be to thee, as the heathen, and the publican.* (Matt. xviii. 17.) *He*, he says, speaking to his apostles, *he, that heareth you, heareth me ; and he, that despiseth you, despiseth me ; and he that despiseth me, despiseth him that sent me.* (Luke x. 16.) And hence it is in conformity to this maxim, that St. John remarks: *He that knoweth God, heareth us. He, that is not of God, heareth us not. By this we know the spirit of truth, and the spirit of error.* (1 John iv. 6.) It is hence, too, that Christ said to Peter, and to the other ministers of his church: *Amen, I say to you ; whatsoever you shall bind on earth, shall be bound also in heaven : and whatsoever you shall loose on earth, shall be loosed also in heaven.* (Matt. xviii. 18.) Surely, where such is the character of a tribunal, where its voice is declared to be the voice of God himself; and

where consequently not to obey it, is declared to be a crime equal to that of the heathen, and the publican ; where its official acts of binding or loosing ; of condemning, or acquitting, are declared to be at once solemnly ratified in heaven—surely, a tribunal such as this, cannot be subject to the control ; nor depend upon the sanctions of the civil power. The above passages, establishing clearly its distinction from the civil power, establish also its independence on such power.

VIII. The independence too of this spiritual power, which Christ imparted to his church, appears forcibly by the manner in which his apostles were pleased to exercise it. For, without any kind of commission, or even permission, from the civil government, these holy men preached the doctrines of their divine Master, and propagated his sacred institutions through every nation. They established churches in different countries ; and decided upon all questions, that related immediately to religion ; making also a variety of laws, and particular regu-

lations, for the more exact fulfilment of its injunctions. They besides all this, visited sinners with spiritual punishments; ordained, and appointed pastors to co-operate with them; transmitting to them, at the same time, as to their successors in the sacred ministry, that same mission and authority; those same doctrines and institutions, which they had themselves received from the hands of Jesus Christ. Obedient in all temporal things to the civil authorities, under which they lived, they still considered themselves completely independent, in regard of all those duties, which were connected with the discharge of their pastoral functions: inasmuch that they still persisted in performing these, although commanded forcibly not to do so. They did this upon these grounds, that, in the performance of their spiritual obligations, they acted under the immediate command, and the direct appointment, of the Almighty. Acts iv. 19.

IX. The authority, which Christ imparted to his apostles, was, by the dictate of his wisdom, attached *to the sacred ministry.*

The consequence therefore is, that, since this, —the sacred ministry,—is established to last for ever ; and ordained to be always such, as it was in its first formation,—its nature, its end, its aim, at all times, alike,—so, of course the spiritual power of the church must be, in every age, just equally as in that of the apostles, independent of the civil government.

Saint Athanasius relates the following words of the celebrated Osius, bishop of Cordova, addressed to the emperor Constantius : “ Do not, I beseech you, interfere
 “ in ecclesiastical concerns. Do not send us
 “ your imperial edicts upon these matters :
 “ but rather condescend to be instructed in
 “ them by us. To you, God has confided the
 “ government of the empire : but to us, that
 “ of the church. As he, that should usurp the
 “ exercise of your imperial power, would resist the ordinance of God, so I pray you,
 “ be careful, lest by usurping the government
 “ of the church, you make yourself highly
 “ criminal in the sight of God. It is written :
 “ Render to Cæsar the things, that belong

“ to Cæsar ; and to God the things that belong to God.” (St. Athan. Ep. ad Solitariam Vitam agentes. tom. i. p. 840. ed. Par. 1627.) Could the distinction between the civil and ecclesiastical powers, and their mutual independence upon each other, be more clearly and precisely, explained than in these words?

In the same epistle, St. Athanasius delivers also his own sentiments and principles upon the subject, in the following terms :
 “ When was it ever heard that a decree of the church received its authority from the emperor ? Many synods have been held, in which many decrees have been passed. But, never did the fathers advise such a measure as this. Never did the emperor interfere in the judgment of the church. This is a new spectacle, which the heresy of Arius has exhibited to the world. Constantius claims the cognizance and revision of ecclesiastical causes. He commands them to be laid before him in his palace. He sits in person in judgment on them. Is not this the abomination of desolation ?” (Ibid. p. 845. 861, 862.)

The independence, moreover, of the ecclesiastical power of Christ's church, in relation to all matters of a nature purely spiritual, has been acknowledged incessantly, and formally admitted, in the various laws and edicts of christian emperors, and kings : in the works of the most learned doctors and jurists ; and even in the writings of multitudes, who from their prejudices and characters are well known to have been very little disposed to favour the spiritual prerogatives of the church.

X. The civil and ecclesiastical powers are thus each of them supreme *in suo ordine* ; and each independent of the other, in relation to all those objects, which belong to their respective provinces. However, notwithstanding these circumstances, they do not still, in respect, to each other, constitute, either of them, an *imperium in imperio*.

The ends, and the means ; the rights, and the duties, of each power are totally distinct from each other. The same Almighty Lord, it is true, established them both. But, then, he has assigned to each a separate

province, in which the other has no right to interfere. The one is established for the temporal government of the citizen; the other, for the spiritual benefit of the Christian. It is thus, by the way of example, that we find something of the same nature, in the situation of states and kingdoms. For, we see, that in all these, their respective sovereigns or princes, establish everywhere, two separate, and very different, forms of power,—the one, designed for the government; the other, for the protection of the subject,—that is, the one civil; the other military; having each, their respective department; and each, forbidden to interfere in the province or prerogatives of the other. As then, there is not, in this case, any *imperium in imperio*, so also it is, in relation to the church and state. The powers of the church and state are, each of them, supreme, *in suo ordine*: each of them of a different nature; and each, independent on the other. For these reasons, they cannot possibly,—so long, at least, as they keep, each, within the line of their respective

rights and obligations,—they cannot experience, in respect to each other, the confusion and inconvenience of an *imperium in imperio*.

XI. From the above principles of the distinction, and independence, of the civil, and ecclesiastical powers, there result the following conclusions :

First :—That the acts of interference,—whether these were direct, or indirect,—which have, in the course of human events, at different periods ; and on various occasions, been exercised, both by the ministers of the civil, and the leaders of the ecclesiastical, powers,—were not, on the part of either, acts of *inherent* right. They were acts, sometimes of usurpation, and injustice ; sometimes of courtesy, and concession.

Secondly :—That no Pope, or council, or ecclesiastical minister, in the exercise of authority, *purely* ecclesiastical, could ever, by virtue of any inherent right, either appoint, or depose, civil governors, ministers, or officers. Neither could they justly, upon such pretext, undertake to make laws for

any civil government ; exercise jurisdiction in civil causes ; or inflict civil punishments, —although even it were upon the grounds, that such acts were necessary, or ever so beneficial, for the welfare of the church.— And, that, in like manner, no king, or civil assembly, or civil magistrate, in the exercise of power, *purely* civil, could ever, by virtue of any inherent right, appoint or depose, the spiritual governors of Christ's church, its prelates, pastors, &c. Neither could they justly, upon such pretext, undertake to make laws for the spiritual government of the church ; exercise jurisdiction in any causes, *purely* ecclesiastical, or inflict ecclesiastical punishments, —although they were to do all this, upon the alleged grounds, that such acts were beneficial, or even necessary, for the benefit of the state.

Thirdly :—That it is the civil power, which, alone, has the right and authority, to make civil laws for the government of the state ; to sanction them by civil rewards, and punishments ; and to enforce their observance by the jurisdiction of a civil tri-

bunal.—And that, in like manner, it is the ecclesiastical power, which, alone, has the right and authority, to make ecclesiastical laws for the government of the church of Christ; to sanction them by ecclesiastical rewards, and punishments; and to enforce their observance by the jurisdiction of a tribunal, that is *purely* ecclesiastical.

Fourthly:—That if any persons, either civil, or ecclesiastical, violate the civil laws of the state, and the ends of civil government, they are liable to civil, or temporal, punishments, inflicted by the civil authority. —And if any persons, either ecclesiastical, or civil,—being subject to the jurisdiction of the church of Christ,—violate the laws of God, or of his church, they are liable to ecclesiastical, or spiritual, punishments, inflicted by ecclesiastical authority.

Fifthly: That the civil power, alone, is the proper and rightful, judge of the civil qualifications, or disqualifications, of its own governors, magistrates, and officers. And that the ecclesiastical power, alone, is the proper and rightful, judge of the spiritual

qualifications, or disqualifications, of the ministers of the church.

Sixthly : That the civil power has an inherent, and exclusive, right to choose, to appoint, or to depose, its own civil magistrates. And that the ecclesiastical power has an inherent, and exclusive, right to choose, to appoint, or to depose, the ministers of the church.

CHAPTER II.

On the Authority of the Two Powers, and the Obedience, due to them.

I. ALL the subjects of the state are strictly obliged, in conscience, to obey, the temporal power of the state, in all those things, which are of a temporal, or civil, nature. This is the doctrine of the Gospel; the spirit of Christianity; and the dictate of enlightened reason. In all objects of a civil nature, the civil law “makes conscience;” and it is the will, and command of God, that men should follow it.

It is to the civil power in particular, that St. Paul alludes, when he says:—*Let every soul be subject to higher powers; for, there is no power, but from God: and those, that are, are ordained of God. Therefore, he, that resisteth the power, resisteth the ordinance of*

God: and they, that resist, purchase to themselves damnation. Respecting the minister of the civil power, he adds:—*He is a minister of God to thee, for good. He is the minister of God; an avenger to execute wrath upon him, that doth evil.* From these principles, therefore,—still alluding to the civil power,—the apostle draws this conclusion: *Wherefore, be subject, of necessity; (that is, since you must live necessarily subject to the civil power,) and be subject “not only “for wrath, (that is, through fear of the punishment, which the civil magistrate, as the minister of God, is authorised to inflict upon the disobedient) but, also, FOR “CONSCIENCE SAKE,” (that is, because you are, in conscience, bound, by the will of God, to obey that power, which comes from God.)* Rom. xiii. 1, 2. 4, 5.

Saint Peter, in like manner, inculcates the same obligation; and he does it, also, as founded upon the same conscientious motive. *Be subject, he says, to every human creature, FOR GOD’S SAKE: whether it be to the king, as excelling; or to governors, as sent*

by him, for the punishment of evil doers ; and for the praise of the good : FOR, SO IS THE WILL OF GOD, that, by doing well, you may put to silence the ignorance of foolish men : as free, and not making liberty a cloak for naughtiness : BUT, AS SERVANTS OF GOD. Honour all men : love the brotherhood : fear God : honour the king : (1 Pet. ii. 13, 14, 15, 16.) Thus, are the duties of honouring, and obeying, kings ; and the ministers of the civil power, duties of conscientious obligation : because they are to be performed, “*for God’s sake,*” and because “*such is the will of God.*”

To the civil power, therefore, and to the civil constitution, in relation, to all concerns, which are of a civil, and temporal, nature,—the pastors of the church, no less than the rest of its members, are, in conscience, bound to submit. Its pastors have no authority, imparted to them by their divine Legislator, to oppose ; nor yet, to judge, the political provisions of the state. Their duty is, to declare to the faithful: *Render to Cæsar the things, that are Cæsar’s,*

—that is, respect and obedience, in all temporal, and civil, matters: for, *Such is the will of God.*

II. It is with the church, in regard to spiritual things, as it is with the state, in relation to civil things. All the subjects of the church of Christ are conscientiously obliged to respect, and obey, its mandates, in all those points, which are of a purely spiritual, and ecclesiastical, nature.

When Christ Jesus commissioned his apostles; and in them, their successors, till the end of time, to teach all nations; to enforce the observance of all his commands; and to govern his church, by his authority, he, at the same time, ordained, that obedience should be paid to them, as it ought to be paid, and was due, to himself. *As the Father hath sent me*, he said to them, *I also send you.* (John xx. 21.) The Father had commanded, that men should, all, obey his divine Son, when, by a voice from a bright cloud, he declared: *This is my beloved Son, in whom I am well pleased;* HEAR YOU HIM. (Matt. xvii. 5.) His beloved Son com-

manded all to obey the pastors of his church, when he said: *Tell the church: and IF HE WILL NOT HEAR THE CHURCH, let him be to thee, as the heathen, and the publican.* (Matt. xviii. 17.) After he had once delegated his own divine authority to his ministers, he then said to them: *He, that heareth you, heareth me: and he, that despiseth you, despiseth me: and he, that despiseth me, despiseth him, that sent me.* (Luke x. 16.) It is, consequently, plain, that, in relation to the authority of the pastors of the church, there exists a strict, and conscientious, obligation of submitting to it, in all those points, which are of a nature purely spiritual, or purely ecclesiastical.

For this reason, St. Paul charged the faithful to *obey their prelates, and to be subject to them.* (Heb. xiii. 17.) And when the apostles, in the council, which they held at Jerusalem, had made, and promulgated, an ecclesiastical ordinance, the same holy apostle,—Paul,—*went through Syria, and Cilicia, confirming the churches; COMMANDING THEM TO KEEP THE PRECEPTS*

of the apostles, and of the ancients. (Acts xv. 41.) Meanwhile, obedience to these precepts was enforced, not by temporal, but solely by spiritual, means. For, the *weapons of our warfare*, says St. Paul, *are not carnal; but mighty in God . . . and having in readiness to revenge all disobedience, when your obedience shall be fulfilled. (2 Cor. x. 4. 6.)*

— III. The obedience, which is thus enjoined by the command of God, and the law of Christ, both to the rulers of the state, and to the pastors of the church, is due, not to the moral, or religious, character of their *Persons*; but to the sacred attribute of their *Power*: for, they exercise this, by virtue of a heavenly ordinance.

Speaking of the situation, in which the Christians were placed, under the tyranny of the apostate Julian, St. Austin makes the following observation: “It happens, sometimes, that persons of very wicked characters are exalted to temporal dignities. When such men are made judges, or kings,—considering, that such things are permitted by the providence of God,

“ for the trial of his people,—we, for this
 “ reason, submit to the divine dispensa-
 “ tion : and we feel it our duty always
 “ to honour, in them, the *Power*, with which
 “ they are thus invested.” In Psalm. 124.
 n. 7.

As, therefore, the principle ; the end ; and the authority, of the *civil power*, are, in their nature, the same in all civil governments,—be the religion of the governor, or that of the state, what it may,—so the Christian, for this reason, should always consider himself, bound by the law of God, and the doctrines of Jesus Christ, equally to obey their mandates, in all matters, which are of a civil, and temporal, nature. He should do this, although even the prince, or the ruler, who thus commands, were not, himself, a Christian.

IV. If, indeed, any prince, or minister of the civil power, were to take upon themselves to command a thing, that is *evidently* contrary to the law of nature ; or repugnant to the laws of Christ's church, in matters of a spiritual nature,—in such cases, the

Christian would not be tied to obedience : because then such command would be, either in direct opposition to the command of God, to whose will the civil power is subject ; or else, it would relate to objects, which are not within the competency of the civil power.

So, for example, if any prince or minister of the civil power, were to command idolatrous worship ; or to order a married woman to cohabit with a man, who is not her husband ;—if they were to issue a mandate, that men should renounce the faith, or abolish the institutions of Jesus Christ ;—if even they were to forbid them to receive the sacraments ; or to observe the precepts of the church, in cases such as these, neither their mandates, nor their prohibitions, would be binding. On the contrary, the Christian, both by the laws of God, and of Jesus Christ, would be bound not to obey them.

It was upon this principle precisely, that the three young Hebrews refused to comply with the orders of Nabuchadonosor, when he commanded them to adore the

Golden Statue, which he had erected. (Dan. iii.) It was hence, that the prophet Daniel refused to obey the irreversible edict of Darius, forbidding, that, during the course of thirty days, any prayers should be offered up, either to God; or to any man, save himself. (Ibid. vi.) It was hence, that the venerable Eleazar, and the youthful band of the Seven Maccabees, refused to comply with the injunction of Antiochus, commanding them to violate the ordinances of the law of Moses. (2 Maccab. vi. and vii.) It was upon the same principle, too, that, the Thebæan legion returned to the emperor Dioclesian, this just and heroic, answer, on the occasion, when he had imperiously ordered them to offer sacrifice to the gods: “ We are your soldiers;” they said, “ and we are the servants also of the true God. To you, we owe military service, and obedience. But, we cannot renounce Him, who is our Creator; and our Sovereign Lord. In every thing, that is not contrary to His Law, we are most willing to obey you. But, we had bound ourselves, by an oath

“ of fidelity to God, before we had tied
 “ ourselves by any oath to you. You can
 “ place no confidence in our second oath,
 “ should we violate our first. Neither this
 “ extremity, to which we are now reduced ;
 “ nor any provocation, which we have re-
 “ ceived, have ever tempted us to revolt.”
 (Acts of the Martyrdom of St. Maurice, and
 his companions.)

Speaking, in like manner, of the Christian soldiers, who served in the army of the apostate, Julian,—St. Austin says of them:—
 “ When the orders of Julian were in op-
 “ position to the law of Christ, they then
 “ refused to obey the emperor. They made
 “ then, a distinction, between the authority
 “ of their eternal, and their temporal Lord.
 “ They disobeyed their temporal Lord, for
 “ the sake of their eternal Lord.” (In Ps.
 124. n. 7.)

A virtuous Roman lady, named Fabiola, having been divorced from her first husband, on account of the criminality of his conduct, had the imprudence, during his life, to marry another man. She had considered

herself justified in so doing, upon the score, or pretext, that the laws of the empire, at that period, sanctioned a second marriage, provided the divorce had been legal. Saint Jerom, however, shocked at the impropriety of her conduct, addressed to her an instruction, reproaching her severely with it. He tells her, that, although indeed her second marriage were reputed valid, according to the civil laws of the state ; yet, according to the laws of Christ, it was invalid, and completely null :—consequently, that she ought not to cohabit with her second husband. “ On this point,” he adds, “ the law of Cæsar is repugnant to the law “ of Christ ; and the doctrine of Popinianus, “ to the doctrine of St. Paul. *Aliæ sunt* “ *leges Cæsarum ; aliæ Christi.* Aliud Popi- “ nianus ; aliud Paulus *noster præcipit.*” His reflections had the effect of convincing the illustrious female : and she accordingly abandoned the immoral and ill-judged connection.

V. If any minister of the ecclesiastical power were to take upon him to command

a thing, that is *evidently* contrary to the law of nature, or repugnant to the laws of the state, in matters of a civil, or temporal, nature,—in such case, a member of the church of Christ would not be bound to obey him; because then, the command would be, either in direct opposition to the command of God, to whom the power of the church is subject; or else, it would relate to objects, which are not within the competency of the ecclesiastical power.

Hence, if the Pope, or any other ecclesiastical superior, were to command the Catholics of this country to murder, or depose, their sovereign; or to violate their oaths of allegiance, under any pretext whatsoever; if he were to forbid them, to observe the laws of the realm in civil, and temporal matters; to pay taxes to the government; to perform military service, and so on,—in all cases, such as these, neither the mandates, nor the prohibitions, would be binding upon the conscience of the Catholic. On the contrary, every Catholic would be, in conscience, bound not to obey them.

It was, accordingly, upon this principle, that the English catholics never accepted the bull, which was issued by Pius the Fifth, to deprive Elizabeth of her crown ; and to absolve her subjects from their allegiance to her. It was upon this principle, that, in 1588, they totally disregarded the bull of Sixtus Quintus ; displaying even, on the occasion, when the kingdom was threatened by the invasion of the Spanish Armada, the most heroic loyalty, and the most exemplary fidelity, to this princess ; although even she, still, persecuted them cruelly. And it is upon this principle, too, that, come whatsoever bull, or injunction, there possibly may, from any pope or ecclesiastical superior, pretending to interfere with the duties of our civil allegiance,—the English Catholic,—who, now, is even still better instructed, upon these points, than were his ancestors,—will, not only not respect the intrusive mandate ; but he will deem it, a duty,—an absolute act of religious obligation,—to oppose it.

CHAPTER III.

On the rights and duties of the two powers, in relation to correspondence.

I. THE nature of an independent government must obviously seem to require, that there ought, necessarily, to exist an independent intercourse; and a free communication, between the governors, and the governed, in relation to all those objects, which are connected directly with the ends of such institution. For this reason, therefore, the civil power has a natural, and an indefeasible, right to an independent, and a free, intercourse, with all the members of the state, in regard to all matters of a civil, and temporal, nature. And the ecclesiastical power, in like manner; and for similar reasons, has, of course, a divine and indefea-

sible, right to an independent, and a free, intercourse with all the members of the church, in regard to all such objects, as are of a nature, purely spiritual, and purely ecclesiastical.

II. It is the duty of the civil power to watch over, and protect, its own independence; and the security of the state. It has, therefore, an undoubted right to guard against any, and every, correspondence, which, it has good reasons for suspecting, may be of a treasonable, or injurious, nature; be such correspondence, either internal, or foreign; or whether it be conducted under the cover of religion; the plea of commerce; or any other pretext whatsoever.

As, however, it is the duty of the civil power—whenever there does not exist some *particular* motive, founded upon the above principle of self-security,—to respect, and support, the natural rights of its subjects, in relation to their free correspondence, in all concerns, that are of a domestic, and confidential, nature; or upon objects of

trade, and business,—so, likewise, it is its duty equally, whenever there does not exist some *particular* reason, founded upon the same principle of its own security,—to respect, and support, the free intercourse of the members of the ecclesiastical power with each other, in relation to all subjects, that are of a character, *purely* spiritual, and ecclesiastical.

CHAPTER IV.

On the respective Distinction, and Independence, of the Civil, and Ecclesiastical, Powers ; whether unconnected with each other, or united together by an Amicable Association.

I. THE ecclesiastical power of the church of Christ was exercised in its full right ; and to every spiritual purpose, and effect, by the apostles, and their successors ;—and this, too, for the space of about three hundred years,—independently of the civil government ; and, indeed, in direct opposition, almost everywhere, to all the force of the civil government. The whole strength of the Roman empire was, in particular, almost constantly, arrayed against it.

During the same entire length of interval, the civil power was exercised, in its full

right ; and to every civil, and temporal purpose, and effect, by a series of pagan rulers,—emperors, kings, princes, &c.—independently of the ecclesiastical authority of the church of Christ : and this, too, not only in the Roman empire ; but, in every other state.

II. After pagan Rome, proud of her conquests of nations, had exhausted her force against the church,—which she found invincible,—Constantine now entered into this spiritual kingdom. But, he entered into it, not as a sovereign, but, a subject : not to give laws to it ; but, to submit to those—the spiritual laws,—by which it was governed.

When emperors, and kings, embraced the Christian religion, they became then, the children of the church of Christ ; subject in all spiritual matters, to its spiritual authority : whilst, at the same time, as temporal rulers, or as emperors and kings, they retained, in relation to all matters of a temporal, and civil nature, that same independence, which they had enjoyed, and exercised before. It

consequently, follows, that a Christian prince *merely as such*, has no more claim to exercise authority over the *spiritual* government of the church, than would have any pagan potentate. He has become, *as a Christian*, its subject. *As a prince*, he remains still independent on it. Whilst, again, in relation to all purely spiritual, and ecclesiastical, concerns, it remains, likewise, independent on him.

III. By calling kings, and nations, into the pale of his church, our benevolent Redeemer conferred upon them blessings, which had the most powerful influence, not only upon their eternal, but, moreover, upon their temporal interests, and happiness.

It was in proportion precisely, as the kingdom of this divine being was propagated amongst mankind, that nations became, gradually, more civilised; that liberty was rendered more perfect; and that peace, and harmony, prevailed. By the diffusion of his mild, and sublime, doctrines, the ferocity of the human character was softened down into benevolence; and men contemplated,

with delight, a new order of things, laid open to their view.

Princes, by this, were taught to understand, that the *power*, which they held, they held from the hand of God ; and that they held it, too, for the sole purpose of exercising it, for the benefit of their subjects. They, therefore, learnt, that it was their bounden duty to rule with justice, and clemency ; and to labour, even with paternal solicitude, to promote the public good ; —instructed, still farther, to believe, that they must render, ere long, to the Great King of kings a strict account of their administration ;—to be punished by him,—if neglectful,—with eternal misery ; to be remunerated,—if attentive,—with everlasting happiness.

Subjects, by this, were taught to honour, and obey, their civil rulers ; and to do this, not through the fear, or apprehension, of temporal punishments ; not from the expectation of temporal rewards ; but, from a principle of conscience, and a love of duty ; —“ *because such is the will of God.*”

Parents, in like manner, were by these heavenly doctrines, instructed, to educate their children with pious care ; and masters to watch over their servants, with attentive vigilance ; -- tempering, meanwhile, their authority, by the rules of charity. Whilst, by the same sacred maxims, children were instructed, equally, to obey with reverence, and affection ; and servants, to conduct themselves with fidelity, and respect ;—*as doing the will of God from the heart.* Ephes. vi.

Thus it was, that, in proportion as the principles of christianity were propagated, and grew, not only did the general benefits, and happiness, of society increase ; but, tyranny was, everywhere, softened down into just, and gentle governments ; the system of slavery was done away ; and forced subjection, changed into voluntary obedience. In reality, so it is ; and the inverse of the above proposition is, and always will be found, true,—that, precisely as the spirit of religion decreases ; or loses its wonted influences over the minds of the public,—over the hearts of the governors,

and the governed,—so, not only will the general mass of social happiness diminish, in proportion with it ; but, tyranny will increase ; oppression prevail over liberty, and anarchy, over justice. The only real, and substantial, basis of public harmony ; of just government ; and of true liberty, is the spirit of religion.

It was, consequently, hence,—that is, because, at the period, to which I have just been referring, men were animated with this spirit ; because, now, whole nations, and provinces, and cities, were linked together in one faith ; and subjected to one spiritual power,—that they, altogether, formed but one great, and well regulated, family,—one fold, under one common pastor ; one mystical body, under one head. Wherever the church of Christ was propagated, there, also, was laid this foundation of Christian harmony.

IV. The emperor, Constantine, after his conversion ; as well as a great number of other Christian potentates, ensured protection to the church ; and to its pastors, in

the free exercise of their spiritual powers ; and in the quiet enjoyment of their temporal possessions. They built magnificent temples, which, frequently, they endowed with ample revenues, for the support, partly of the clergy ; and partly, to give splendor to the public worship. They conferred, sometimes, civil titles, and distinguished honors, upon several illustrious prelates, or eminent members of the priesthood ; admitting them even to seats in their own councils. But, then, in doing all this, they did not acquire,—nor, generally speaking, design to acquire,—any absolute, or inherent, right to interfere in the spiritual, or purely ecclesiastical, authority, or prerogatives, of the Christian church.

The independence of this authority, and of these prerogatives, has been, in every age, asserted by the pastors of the Christian church, as its divine, and unalienable, right. It was asserted, and exercised, always, under the dominion of the princes, just referred to ; although to their munificence, and protection, the church, and its

pastors, were then so much indebted. Or if, sometimes, it chanced,—as it did, indeed, chance, upon several subsequent occasions,—that, urged by passion, or ambition, certain princes endeavoured to incroach upon the sacred privilege,—then was their conduct always treated, as an act of oppression, usurpation, and injustice.

It was to Christian princes, that St. Gregory of Nazianzum, addressed the following words, which, also, he delivered in the presence of one of the first ministers of the empire: “The law of Christ has made you
 “ my subjects. For, we exercise the powers
 “ of a spiritual kingdom, as much more excellent, and more perfect, than the powers
 “ of the temporal empire, which is committed
 “ to your care, as the soul is more excellent,
 “ and more perfect, than the body ;—as the
 “ kings of heaven are more sublime, than
 “ the kings of the earth. You are the sheep
 “ of the fold, of which I am the pastor.”
 Orat. 17.

It was to a Christian emperor, in like manner,—to Anastasius,—that the Pope,

Gelasius, addressed the following language:

“ There are two powers, by which the world
 “ is, principally governed,—the pontifical,
 “ and the regal. The charge, imposed upon
 “ bishops, is so much the more weighty, as
 “ they will have to render an account of the
 “ souls even of kings, on the day of judg-
 “ ment. You will acknowledge, that, ex-
 “ alted as you are, by your imperial dignity,
 “ to a super-eminent station in the order of
 “ civil society, you, still, bow with respect-
 “ ful submission, to the prelates of the
 “ church, who preside in the order of reli-
 “ gion. To them, you have recourse for
 “ the means of salvation. From them, you
 “ receive the heavenly sacraments. In these
 “ matters, of a religious, and spiritual,
 “ nature, you know, you have no right to
 “ dictate to them ; but, that it is your duty
 “ to follow their judgment ; and to submit
 “ to their authority. If the prelates of the
 “ church obey your imperial laws, in all
 “ things, that relate to the order of civil go-
 “ vernment,—knowing that you have re-
 “ ceived your power from on high, to that

“effect,—with what affection ought not you
 “to obey those, who have been appointed,
 “with power, to dispense the graces of our
 “tremendous mysteries? As it would be
 “criminal in a pastor to neglect to raise his
 “voice in defence of the worship of God,—
 “so, would it be no less so, in his flock to
 “despise his authority. If the faithful
 “ought to be obedient to the lawful bishops
 “of the church in general,—how much
 “more is it their duty to be subject to the
 “bishop of that see, which has been raised
 “above all others by the divine institution;
 “and of which the pre-eminence has been
 “constantly acknowledged by the religious
 “submission of the universal church?” Ep.
 8. Ad Anastasium, Tom. 4. Conc. p. 1182.
 Ed. Paris. 1621.

The emperor Honorius declared, that,
 all causes, relating to religion, belong to
 the judgment of bishops. “It is their
 “duty,” he said, “to decide:—our’s, to
 “submit to their decision.” Ep. Honor. ad
 Arcad. tom. 2. Conc. Labbe, p. 1312. Ed.
 Paris. 1621.

Addressing himself to the lay-persons, who were present in the eighth general council, the emperor Basil, at the conclusion of his speech, spoke thus: “ I have
 “ nothing more to add, save just to remind
 “ you, that you have no right to judge ec-
 “ clesiastical causes. For, the cognizance
 “ of such matters belongs to the patriarchs,
 “ to the prelates, and to the priests, who,
 “ alone, have received the authority of
 “ spiritual jurisdiction; who, alone, have the
 “ power to administer the graces of sancti-
 “ fication; the authority to bind, or to
 “ loosen; and the regulation of the keys,
 “ both of the church, and of the kingdom
 “ of heaven. We, who are only amongst
 “ the sheep of the fold, which is under their
 “ rule,—we have no right to interfere in
 “ their concerns.” Orat. Basil. Imp. inter
 acta 8. Synod. Æcum. Labbe, tom. 8. p. 1154.

It is well known, that the interference of the emperor Constantius, in certain spiritual and ecclesiastical, causes, was forcibly remonstrated against by a great multitude of distinguished prelates, of that period; by

the great Osius ; St. Athanasius ; St. Hilary, &c. They even treated his conduct, as an unjust, and unjustifiable, usurpation of the sacred rights of the spiritual power.

It was so, too, on the occasion, when Leo, the Armenian, disturbed the tranquility of the church by his opposition to its ancient doctrines, and institutions. The episcopacy loudly protested against his conduct. The Studite, St. Theodore, addressed him, thus : “ Do not, august emperor, attempt to overturn the order, which has been established for the government of the church. The Apostle says, that God has appointed certain persons in his church,—first, apostles ; then, prophets ; next pastors, and doctors ;—but, he makes no mention of kings,—for the perfecting of the saints. The state, and the army, are under your government, and command. These are the objects of your care. Leave, then, the church to its pastors, and doctors, as the apostle prescribes.” Baron : tom. 9. ad an. 814, n. 17.

The fact, in reality, is,—that, during all the periods, to which I have been referring ; and during all the best, and brightest, ages of the church, men, all of them, with hardly an exception,—emperors, and princes, not less than their subjects,—acknowledged the independence of the church, and the divine authority of its pastors, in relation to all objects, that were purely of a spiritual character.

V. From the most early eras of the Christian institute, its pastors have never failed to express their gratitude for the support, and protection, which they had, so unceasingly, received from the munificence, and the piety, of a multitude of Christian princes. Considering, too, that, in many, if not indeed in all, nations, a great number of those personages held a very large portion of their revenues, and temporalities, under the crown ; and that, in some places, the prelates were temporal lords ; counsellors of state, &c.—the church, upon these accounts, judged it, not only reasonable, but proper, that a right of nomination, or presentation,

to certain ecclesiastical dignities should be granted to such princes, and other individuals, who had thus conferred upon her ministers these temporal benefices, and titles. But, then, in these cases, the right, thus granted, was merely a *conceded*, not an inherent right. It resembled the temporal privileges, and titles, bestowed by the prince, or the benefactor, upon the clergy:—for, these, in like manner, were only *conceded* things. They were rights, which the pastors of the church enjoyed, only upon the conditions, under which they had been *conceded*:—and which may be found explained, many of them, in the ecclesiastical laws, which relate to the *jus patronatús*.

VI. When, therefore, we consider the friendly association, and alliance, which, thus, took place between the church, and the state,—between the ministers of the spiritual, and the rulers of the temporal, powers;—where we see the pastors of the church exercising a portion of civil jurisdiction; and the laity, or civil governors, in the same way, performing acts, which be-

long properly to the competency of the ecclesiastical jurisdiction, we ought, on these occasions, in order that we may not be deceived in our judgment,—to distinguish accurately between that, which, respectively belongs to the civil, and ecclesiastical, powers, *by original, and inherent* right ; and that, which the ministers of each power have mutually held, and exercised, by virtue of reciprocal *concession*.

Thus, for example, when we see, in the histories of Catholic nations, that clerks, or the pastors of the church, when guilty of civil offences, were amenable only to the ecclesiastical courts ;—when we find, that, frequently, causes of a mixed, or even of a purely civil, nature, were brought before these spiritual tribunals ; and that the sentence of the ecclesiastical judge was followed up by civil effects, and civil punishments,—we ought, on these occasions, to understand, that whatsoever, in such instances, was of a *civil* nature, became lawful, and was rendered consistent, only by the *concession* of the civil power. The ecclesiastical judge,

upon such occasions, was the delegate merely of the civil government.

It was, too, by favour of the civil government, that *civil* sanction, and *civil* aid, were, in Catholic countries, afforded to the execution of the canons ; and to the enforcement of the ecclesiastical laws of various councils ; as well, indeed, as to the execution, and enforcement, of the decrees, and grants, or rescripts, of the holy see. Ere, however, the civil effect was imparted to them, the civil power was wont, first, to inspect ; and enregister, them, as the laws of the state. At the same time, it is true, that, whether these instruments were adopted or not by the state, they were, still,—as the laws of the church, and as things, relating to duties purely spiritual,—the objects, always, of religious veneration ; and when forcibly commanded, the objects, likewise, to the members of the church, of strict, and conscientious, obligation.

VII. Although councils, and synods, be, strictly speaking, only *ecclesiastical* assemblies, yet, upon many occasions ; and par-

ticularly upon the occasions, when such councils were general, they became the mixed conventions of the spiritual, and the civil, powers. As such, they were of the nature of the general parliaments of the lords spiritual, and temporal, of Christendom, met together, in order to stay, or remove, those evils, which seemed to threaten to become universal; and to employ their united efforts to support, or bring back, order in the church, and in society. This observation may be applied to such councils, in particular, as those, of the fourth of Lateran; and of that of Trent. In these councils, there were issued a variety of decrees, relating, not only to spiritual, but, moreover, to temporal, objects; and denouncing, still farther, temporal, as well as spiritual, punishments, against the refractory. But, it would be wrong; and very unjust, to infer from these circumstances, that, therefore, the ecclesiastical had arrogated to itself the rights of the civil, power. Whereas, the decrees were issued; and the punishments denounced, with the joint

concurrence of the two powers, united. It ought, too, upon these, and such like, occasions, always to be remembered, that many of the ecclesiastical personages, who sat in those councils, were, at the same time, *temporal lords* ; and invested with very extensive temporal jurisdiction. Consequently, when we read, for example, in the council of Trent, (Sess. xxv. cap. 19. 9. de reform.) that, not only spiritual, but, moreover, temporal, punishments, too, are decreed against those, who permitted duels to be fought, within the precincts of their grounds, we ought, here, to understand, that these denunciations, were the joint act, and dictate, of the two powers, concurring thus, mutually, by their united efforts, to suppress a practice, which was, at the same time, a violation of the laws of religion, and of the state. Analyse, these decrees ; and it will be found, that, properly speaking, the spiritual punishment was denounced by the ecclesiastical power ; and the temporal, sanctioned by the act, and approbation, of the civil power.

VIII. In order to form a correct, and

impartial, judgment of many of those acts, which were performed, both by the ministers of the spiritual, and of the civil, powers, during what are usually called the middle ages,—when Catholicity alone was the established religion of every European state,—we ought, on these occasions, to go back, in imagination, to the period itself, in which the acts, or occurrences, in question, are alleged to have taken place. We should, next, place before our view; and take into our serious consideration, not only the various concessions, which, in those times, the two powers were accustomed mutually to make to each other,—but, we should, besides doing this, reflect also, with attention, upon the manners; the customs; the public opinions; the common agreement, which were then, everywhere, prevalent in society; and which constituted, as it were,—or rather, in reality,—a great part of the common law of those periods. To pretend to judge of the transactions of those ages by the present standard of public opinion; or without taking the above

circumstances into consideration, is a piece of imprudence, not less illiberal, than it is absurd.

It is, consequently, proper,—according to the principle of the preceding observation,—that when we consider the conduct of certain popes, in the middle ages, who interfered in the rights of temporal princes; and employed the influences of excommunications to deter them from the abuse, and excesses, of their power, we ought, also, to pay attention to the prevailing notions; and to the temper, and customs, of the period, in which they lived;—reflecting, at the same time, particularly, upon the characters of the potentates, with whom, upon such occasions, they, most generally, had to deal,—a set of men, whom, often, no suggestions of conscience could restrain within the bounds of duty; nor any temporal force withhold, either from the most injurious usurpation of the prerogatives of the church; or from the most cruel oppression of their own subjects. It ought, likewise, to be observed, again, that, at the eras, now

alluded to, there did not, as yet, exist that balance of power,—those various salutary checks, and institutions, both on the side of the prince, and of the people, by which, in our days, tranquility, and justice, are best supported, or preserved ;—by which the prince maintains his power ; and the people, their just prerogatives. The influence of the popes was, *then*, considered,—and it certainly was, very frequently the case,—the only remedy, that could possibly correct the excesses ; or remove the calamities, of the times. Their intervention, however, upon such occasions, was, by no means, always, an interference of the spiritual power, either directly, or indirectly, with the rights, or prerogatives, of the civil power. It was, most frequently, a mere act of mediation, or arbitration, pressed upon them, or conceded to them, by one or other, or perhaps both, of the contending parties. They were, in these ages, considered, and respected, as the common fathers, under God, of all Christian states ; and, as the public, and authorised, guardians of religion ; of mo-

rality, and justice. Hence, the great deference, which was paid to them. Hence, they were, so often, chosen to be the pacificators between princes and princes; and so often, invited by states, and sovereigns, to exert the influences of their authority in suppressing public disorders; or removing public scandals: In short, by a kind of general compact,—by a sort of common agreement, founded upon the prevalence of common opinion, the popes, at these times, were, very frequently, acknowledged to possess a right of interference, for the sake of the public good. It is true, indeed, that, abstracting from the above considerations,—or, calculating the conduct of several pontiffs, by the notions of the present age,—their interference might be justly deemed, the direct, and very unjust, assumption of power over the temporal rights of sovereigns.

It was by gradual advances, that the popes attained those powerful influences; and that paramount authority, over the authority of princes, which they, too fre-

quently, exercised, in the disposal, and arrangement, of temporal, and civil, matters. Such, indeed, during a very considerable length of time, was the supremacy of their authority, that there existed hardly a single kingdom in Europe, whose sovereign did not, on some occasion or other, acknowledge it; and who did not even appeal to it, whenever there was question of overcoming a powerful rival.

IX. At the same time, it ought, also, to be remarked, that, although some popes did thus, very improperly, interfere in the civil concerns of princes; and in the regulation of temporal interests;—although even some of them, —for example, a Gregory the Seventh; or a Boniface the Eighth,—went so far in their interference, or in their assertion of civil authority, as to pretend, that their claims to this prerogative were founded upon a *divine right*,—yet, it ought, likewise, to be remarked,—as the fact is certainly true,—that they never pretended, in any formal decree, to define this, as an article of Catholic faith. They never pre-

tended, that the opinion, that the pope has a right to depose princes; or to interfere in the temporal government of their states, is an essential part of the Christian creed. They never proposed such opinion: neither did the public ever receive it. It is true;—Boniface VIII, in his Bull, *unam Sanctam*, an. 1302, did define, that, “every human creature is subject to the pope;” but, then, he, very happily, abstained from inserting in his definition one single word, which relates to *temporal* matters.

It is a circumstance, too, which merits observation, that, amongst the princes, who reigned, during the periods, to which I am now referring;—as well as amongst a variety of other personages, both laity, and clergy;—there were many, who denied, very positively, the right, of the popes to interfere in any civil concerns, beyond the limits of their own states; and who, in particular, resisted boldly their pretensions to the deposing power. And yet, what was the case? Why; when reconciled to the church; and re-admitted again to the friendship of the

holy see,—these individuals were not even so much as called upon to retract their opinions. No effort, or persuasion, was made use of to compel them to profess, that the rights of the popes over temporal things are divine:—proof, this, that the church never considered such opinion, as an article of the Catholic faith.

If, then, certain pontiffs,—deceived, most probably, by the false decretals,—have adopted mistaken notions, respecting the origin of that accessory power, which they had long exercised over temporal interests,—the error, in this case, was their own: and it is they, themselves, that are, alone, responsible for it. The private opinion of any pope is no rule of Catholic faith.

It ought, likewise, to be considered, as an undoubted fact, that whatsoever authority, at any period, the popes possessed; or pretended to possess, over the civil rights of princes, or kingdoms,—they could, still, never have exercised this, to any real, or important, effect, if it had not been sanctioned by the public opinion; and supported by

the consent, or at least, the acquiescence, of the princes, and governments, themselves.

These observations are not, here, presented as the defence of our pontiffs, for their interference in temporal things. They are presented, only by the way of explanation;—designed to show, that, in judging of the actions of many of those individuals, during the course of the middle ages, we ought always, in candor, to take into our consideration the character, and temper, of the times; the principles, and opinions, of the public; and the consent, and conduct, of sovereigns. Weighing well these circumstances, we shall find,—and, if candid, be induced to own,—that, if indeed, the authority of certain popes was, sometimes, very improperly exercised; it was, also, not less improperly, called forth.

But, let the opinions of past ages; or the humble submission of ancient princes, have been what they may, in relation to the power of popes,—those opinions, and those notions of submission, have now, and long since; and everywhere,—passed away.

At present; and in the present state of public opinion, neither any prince; nor any government, have any thing to dread; nor the public, to apprehend, from any possible papal interference. As the Pope had, never, any *inherent* right to interfere in temporals, so, now, not even has he the slenderest *conceded* right. If, now, any Pope, were to pretend to claim, as a prerogative, the power of deposing princes; or the authority of absolving subjects from their allegiance,—such pretension, in these times, would not only be found vain, and ineffectual,—it would even be treated with pity, and contempt. The circumstances, I have just said, which, once, gave effect to such a claim, have, now, gone by. A bold, and intrepid, Gregory the VII, could not, in the present age, do more, towards the resumption of temporal power, than could the meek, and gentle, Pius the Seventh.

CHAPTER V.

On the Effects of the Union, and Separation, of the two Powers.

I. I HAVE shown, that the civil power of the state, and the spiritual authority of the church, are two separate things :—distinct in their ends ; their functions, and jurisdiction ;—the one having no inherent right to interfere, either directly, or indirectly in the province, or prerogatives, of the other. However, all this admitted,—it is, still, reasonable to suppose,—and such idea is but consistent with the notions of the designs of Providence,—that, established, as each power is, for the sole purpose of the public good, so they should, of course, be linked, and allied, to one another ; and this, too, very closely,—in the bands of mutual friend-

ship ; co-operating, each of them, in their respective ways, to promote the happiness of mankind. Their friendly concurrence is, peculiarly beneficial to each other. The civil power serves the cause of religion, by repressing public crimes, and scandalous disorders ; by maintaining order, peace, and harmony, in society. The spiritual power renders essential service to the state, by instructing men in their various duties, and obligations ; by reforming, and purifying, their morals ; by teaching sovereigns to rule their subjects with justice, and moderation ; and subjects to serve their sovereigns with loyalty, and due submission.

II. But, then, this important compact, as I have already stated, should be so nicely regulated, that, whilst the two powers lend mutual aid, and protection, to one another, they should not, either of them, be permitted to intrude upon the rights ; to usurp the privileges ; or to oppose the exercise of the jurisdiction, which belong, respectively, to each others province. Such acts of intrusion are most pernicious : and

fatal, sometimes, to the party, which had been guilty of them. For, such is the connection between the two institutions ; and so intimately are their interests blended together, that whatsoever contributes to weaken the authority of the one, tends directly to lessen, and impair, the authority of the other :—and whichsoever violates the just prerogatives of the one, aims a deadly blow at its own inviolability. The case is, that the two powers, although distinct, repose, equally, upon the same foundation,—the ordinance, and the will of God : “ *for there is no power, but from God ; and those, that are, are ordained of God.*” (Rom. xiii. 1.) Upon these accounts it is, that, whilst it is the duty, so the civil, and ecclesiastical, powers, should deem it, likewise, their mutual interests, to support ; to protect, and cherish, each others rights, and just prerogatives.

III. Wheresoever, indeed, or at whatever period, this happy alliance has subsisted, it has always produced the most beneficial effects amongst mankind. It has been, always, a source of prosperity, and

harmony, to states ; and of peace, and splendor, to the church. But, unfortunately, (such is the blindness of human policy ; and such the restlessness, and corruption, of the human passions,)—this blessed harmony has been, frequently, interrupted, and destroyed. On several occasions, the disagreements, which have, thus, taken place, have produced the most fatal consequences ; even a total divorce between the civil government and the church of Christ ; so as completely to dissolve that sacred tie, which had, long, held the two objects, just like body and soul, together. However, upon these occasions, such has always been the event,—that whilst the temporal power, by the act of separation, has experienced, generally, the most alarming shocks ; and often, the most serious injury,—the purely spiritual power—like the soul departing from the body,—has still retained its whole spiritual, and immortal, vigour.

IV. In reality, when we look into the rolls of history ; or consult the events of ages past, do we not find, that there is hardly a single instance of any kingdom

detaching itself from the spiritual authority of the Catholic church, that did not, at once, become the scene of revolutions, and disorders; and of revolutions, too, and disorders, which endangered, always, and subverted, some times, the civil authority, and the constitution, of the state? And is it not, therefore, true,—or, at least, is not the conjecture probable, that such events;—and in particular, those subversions of civil order, which have taken place, during the past three hundred years,—ought properly to be traced to the same source,—namely, to that same destructive principle, by which the rulers of the states, just referred to, had been previously engaged to oppose the spiritual authority of the Catholic church? Certain, indeed, it is, that all the revolutions, which have occurred, within the above stated interval, have been defended by the same maxims, and conducted with the same kind of spirit, by which all the pretended reformation, both of the faith, and government, of the Catholic church had

been, previously, either supposedly justified; or really effected.

It was the alleged tyranny, and ambition of the Roman pontiffs; it was the pretended errors of the Catholic doctrines; it was the vices, the luxury, and the avarice, of the clergy; the abuses, everywhere, committed, in the dispensation of the spiritual power,—it was these; and imputations, such as these, that have formed, always, the grounds of attack upon the church; and the motives and apologies, for revolting against its government. It was these, that, re-echoed, often, and artfully, by a set of ill-designing men, in the ears of sovereigns, and their ministers; or of others, who had influence in the state,—induced these, too, to engage in the common cry; and ere long, to undertake, what they called, the projected Reformation. And what, soon, was the consequence? Why; soon, the very same charges of tyranny, and ambition; the same imputations of injustice, and oppression; the same allegations of abuses; of vice; of

luxury, &c. were urged against the sovereigns themselves, and against the existing forms of government. And was it not thus, too,—was it not upon the score of these same pretexts, that, in our own days, all the revolutions, which we have witnessed, have been defended; conducted; and ultimately brought about? In reality, if princes, and men in power, will, upon such pleas, undertake to reform the church, how very difficult must it not prove to them, when the same motives are urged against themselves,—to defend, and support, their own governments, and authority? Their own principles, and example, are, on such occasions, turned against them;—and not unfrequently, to their own ruin. So dangerous it is to shake the common foundation of power:—so difficult, to defend the principle; and the object, of the pretended reformation of the church; and yet, maintain, at the same time, with consistency, either the established constitution of any kingdom; or the legitimate authority of any temporal potentate.

CHAPTER VI.

On the present State of the Catholic Religion in this Country.

I. ON the occasion, when England separated itself from the communion of the see of Rome; when it rejected the ancient faith of its forefathers; and consummated the change of its religion, then did the Catholic church cease, any longer, to possess, *a civil establishment*, within this realm. She was then deprived of all those temporal rights; and bereaved of all those civil privileges, which she had, hitherto, held by *the concession* of the state. The consequence, therefore, is,—that the powers, which, after the above period, either the pope; or the pastors of the Catholic church, have held, or exercised, in this country, were of a nature, *purely spiritual*; and *purely ecclesias-*

tical. They were of the same character with those, which, during the times of the heathen emperors, were held, and exercised by the apostles, and their successors. These powers the pastors of the church possess; and always must possess, over the flock of Christ, both at all times, whether of peace, or persecution; and in every portion of the globe. But; neither the pope; the Catholic prelacy; nor the Catholic clergy, have, now, any *civil* power, within the limits of this realm. They have no right; nor any authority, to enforce spiritual duties by any *civil*, or *temporal*, means; nor to oppose, in any manner, the performance of the *civil* duties, which are due to his Majesty; or to his government, by all, or any, of his subjects. And, as they have not, at present; so neither can they ever have, any portion of civil, or temporal, jurisdiction, within this realm; any civil power, superiority, or pre-eminence, *without the concession* of the state.

II. To no authority, however, which is *purely spiritual*, and *purely ecclesiastical*, that

is holden, and exercised, by persons, who are not in communion with the see of Rome, can the Catholic,—consistently with those principles of unity, upon which the Catholic church is founded,—consent to pay obedience, in regard to objects, which are of a *purely spiritual*, and *purely ecclesiastical*, nature. As, therefore, some of the courts in this kingdom, which are called, *ecclesiastical*, are of a *mixed* nature, both in their prerogatives, and their objects,—so, here, the Catholic considers it necessary to discriminate,—to distinguish, that is, between what, in these institutions, is *purely civil*; and what is *purely spiritual*. He considers; and owns, it to be his bounden, and conscientious, duty to obey these,—just equally with all other civil courts,—in relation to all matters, which are of a *civil*, character; or which regard the legal (*if temporal*) rights of his Majesty; and the political obligations of his subjects. The reason is, that, in all these cases, the ecclesiastical judge acts, merely as the *civil* magistrate, delegated by the *civil* power.

But, should it so chance, that one of these courts should think proper to issue an order of a *pure ecclesiastical* nature,—that is, regarding objects, or duties, completely *spiritual*,—in this case, the Catholic,—both by the maxims of his faith; and the unity of his communion,—would be bound to look upon such mandate, as an object, that does not regard him. It would be wrong in him,—and even sinful,—to oppose it by *civil* means: but it would be, likewise, wrong, and sinful, in him, to comply with it.

III. Neither is the *allegiance* of the Catholic, in any degree, affected, by the circumstance of such non-compliance. His allegiance remains, still, undivided, and entire. The reason is plain: it is, because allegiance relates, not to spiritual; but, to *civil*, duties,—to those temporal tributes, and obligations, which the subject owes to the person of his sovereign; and to the authority of the state. And these the Catholic pays, unreservedly; neither dividing them between his sovereign, and any other power on earth, whether temporal, or eccle-

siastical ; nor yet, suffering them to be impaired, (they are rather increased, and perfected,) by the principles of his religion. Thus, the allegiance of his Majesty's subjects, in Scotland, is allowed to be undivided, and entire, although they refuse to admit his spiritual supremacy, as the head of the national church ; although they reject his right of interference ; or the interference of any of our ecclesiastical courts, in their spiritual concerns ;—and although in all these objects, they are regulated entirely by a church of their own, a church, too, *completely distinct* from the Protestant church of England.

IV. Never, in any Catholic kingdom, was the *allegiance* of its subjects deemed imperfect, or divided, because, in relation to *spiritual* things, they professed obedience to the pope ; or submission to the sacred authority of the church. So clear, indeed, is the distinction between the civil powers of the state, and the spiritual authority of the church, that,—provided they keep, each of them, within their own respective spheres,—

their peculiar rights, and prerogatives, can never possibly clash together. Their jurisdictions are separate. And the obedience, therefore, which men deem it their duty to pay, respectively, to each of them, is, for this reason, *in suo genere*, undivided, and complete.

CHAPTER VII.

On Catholic Securities.

I. WHOEVER considers the state and resources of this country, must feel sensibly convinced of its greatness, and security. Its power, its riches, its laws,—all its innumerable bulwarks, render it the most prosperous; and its government the strongest, of any other perhaps, in Europe. It is for these reasons, that it dispenses to its subjects a perhaps larger share of liberty, and privilege, than does any other country, in Europe.

There is, however, one portion of its subjects, whom, notwithstanding all its power, it still treats unkindly; and seems to regard with jealousy,—the body of the Roman Catholics. These—although their loyalty is not even called in question; although they

fight all its battles ; and support cheerfully all its burdens ; although, too, they have pledged their fidelity by every thing, that is most sacred in religion,—these are, yet, ungenerously restricted ;—the great body, deprived of many of the best claims of their birthright ; and the small portion of the nobility, with niggard illiberality, denied their honours. Pitiful policy ! As if the admission of a few individuals to a few places of distinction could possibly be dangerous to a nation such as this ! There is a pusillanimity in the idea, for which nothing can account, save that narrow-mindedness, which is the fruit of religious bigotry.

If, indeed, it be true, that the nation does entertain any serious fears ; or that it stands in need of additional securities, from its Catholic subjects,—then, I will just say this, —and it is but the dictate of common feeling and common sense,—that the best remedy for such evil would be, instead of treating them with unmerited severity, to treat them with kindness ;—instead of frowning upon them, as, aliens and enemies,

to cherish them as friends ; in short, instead of harshly excluding them from the temple of our happy constitution ;—to unbolt to them its gates ; bid them enter it ; and enjoy its benefits. This is the measure, which, if the country do stand in need of additional security from the Roman Catholics, would, best ; and, at once, procure it. Such measure, must, of course, awaken gratitude, interest, and good will, towards the state. It would produce harmony, and attachment. And it is these, that form, in reality, the best securities ; and that constitute the strongest bulwarks, that a nation stands in need of.

Accordingly, induced by this consideration alone, a great number of our most enlightened legislators, as well as great numbers of our wisest writers, have long contended ; and contend still, that, amid all the various expedients, that are calculated to give additional strength, and prosperity, to this country, there is not one, that would do this, so effectually, as that act of justice, or generosity, which, restoring to the Catho-

lic his birthright, served to conciliate his affection, and to heighten his interest, for the state. "Catholic emancipation," says even a protestant bishop, and a very distinguished politician,—the late Dr. Watson,—"Catholic emancipation is a measure calculated, above all others, to support the independence of the country ; to secure the stability of the throne ; to promote peace among fellow subjects ; and charity among fellow Christians."

II. The argument, which the adversaries of the above measure oppose principally to it, is this,—that, since the constitution of the country,—its throne, its government, its parliament, its church,—are, all of them, *protestant*,—so it would, consequently be wrong, and inconsistent, to admit the Catholics,—men of a different religion,—to a participation in its privileges.

This is, indeed, a mode of reasoning, which is often urged upon the public mind ; and which, no doubt, possesses a very powerful influence over it. However, if men would give themselves the trouble to

analyse it, they would find, in it, very little else, than a mere illusion :—its effect is the fruit of sound, much more than of any wisdom. For, in the first place, it is not true, that the constitution of this country is *protestant*. It is, on the contrary, much rather, —*Catholic*. Those laws, which form its real excellence ; those provisions, and regulations, which constitute the boast, and pride, of Englishmen, are, all of them, Catholic ;—the suggestions of Catholic wisdom ; and the work of Catholic industry ;—the work even, principally of a set of Catholic clergymen. Or, if indeed, since the establishment of protestantism ; and above all, at the era of the Revolution, the charter of our laws has received a certain additional share of perfection, the case has been simply this,—that the wisdom of the nation, at those periods, gave back to it again those ancient, but long-lost excellencies, which it had possessed in its original formation.

I might remark, too, that,—although the supposition were admitted, that the constitution of the country is really protestant,

—still, there would not be any inconsistency, nor any violation of its principles, in the circumstance of admitting the Catholics to the enjoyment of its *civil* privileges. The good sense of protestantism, even during its most rigid, and most flourishing, periods, had always the moderation to be convinced of this. For, during those periods,—that is, during the reigns of the Sixth Edward; of Elizabeth; of James; of Charles the First; and until the close of that of Charles the Second,—the Catholics, just equally with the Protestants, were admissible, and even constantly admitted, into all the civil offices of the state. They were, then, its legislators; its magistrates; its ministers; its ambassadors; the commanders of its fleets, and armies. In short, every office, honor, and dignity, were still open to them. And if, at the close of the Second Charles's reign, they were stripped of these prerogatives,—they were stripped of them, every reader knows, in consequence of a deed of injustice, one of the

blackest, and most disgraceful, that ever stained the British annals.

III. It would be well, if, when men contend, that our constitution is necessarily *protestant*; and that, therefore, *protestants* alone are entitled to enjoy its benefits,—it would be well, if, when they assert this, they would also define, what it is, that they mean by the word, *Protestant*; or, what is the proper signification of this term. In its ordinary acceptation, it is designed, of course, to bear some reference or other to religion. And does it, then, mean—as it, certainly, ought, in consistency, to do, when it is used by the members of the established church,—does it mean, that, in order to enjoy the privileges of the state, men should be, all, members of the protestant religion, as it is, *by law*, established? When it is said, that the constitution is *Protestant*, is the meaning of the assertion this,—that, therefore, the king, and his ministers; the members of the legislature, and of the government, are, or ought to be, all of them,

the believers in the thirty-nine articles ; or the professors of the doctrines of the Church of England ? Is such the import of the term ? No ; it is not :—because we may remark it constantly,—the state, for ever, admits into its cabinet, and its councils ; into its parliaments, and its various offices, men of very different, and even opposite, religions,—Calvinists, Presbyterians, Methodists, &c. ;—nay, men, sometimes, (for, we have seen this, too,) of no religion,—Socinians, Unitarians, Deists, and unbelievers. Therefore, the consequence is, that the constitution is not *Protestant*, in this sense, that men are bound,—in order to enjoy the privileges of the State,—to profess the religion of the state.

Does the term relate to any other peculiar system of protestantism, professed by any of the various churches of the Reformation ? No ; it does not. It relates to none of them. It is a vague, indefinite word. The Calvinist is a Protestant ; the Methodist, a Protestant ; the Quaker, a Protestant ;—nay, even the Socinian, the Deist, and the

Atheist himself, are as really Protestants, as are the members of the Church of England. For, what constitutes protestantism, is the mere act of protestation against the doctrines of the Church of Rome. Thus, by the laws of this country, the sole criterion, that a man is a *Protestant* :—and the circumstance, which lays open to him all the honors, or offices, of the State,—is the act of declaring against certain Catholic doctrines,—transubstantiation, the veneration of the saints, the supremacy of the pope, &c. So that, thus, the most profane unbeliever, if he only make these declarations, is, in the eyes of the law, exactly as much a Protestant, as is the member of the Church of England.

The signification of the term "*Protestant*," being analysed in this manner,—it follows that it is absolutely a word, without any fixed signification; or at least, that its signification, if any, is simply this,—"*Not Catholic*." It is precisely what we call, in logic, *nomen infinitum*;—such, for example, as, *non homo*,—which may be nothing; or

every thing ; or any thing, that you please, —provided it be “ *not a man.*” So that the proper sense of the term, “ *Protestant,*” as it is applied to religion, is merely this,—That the religion of the kingdom ; of the throne ; of the government ; of the parliament ; nay, of the established church itself, —may be nothing ; or every thing ; or any thing, that you please,—provided it be *not Catholic.*—And is it thus,—is it by a term so vague as this, that men should pretend to define the character of the British Constitution ? and under the plea, too, of such definition, exclude a large portion of deserving subjects, from almost every prerogative of their birth-right ?

IV. To exclude the Catholics from the benefits of the constitution ; and, still lay them open to every other order of believers, —to the members of all the various sects, which crowd the nation,—is an act, not simply of great illiberality, and injustice ; but, of great inconsistency, likewise. For, what, in reality, is the fact ? Why, that the religion of the Catholic approaches much

nearer to the religion of the state, than does that of any one of the dissenting sects. The religion of the state, like that of the Catholic, is, professedly, an Athanasian; and an episcopal establishment. It boasts, like the latter, an uninterrupted order of apostolical succession. With the Catholic, it severely condemns heresy; and reprobates schisms. With him, it admits the three creeds,—that of the apostles; the Nicene; and the Athanasian: along with the four first councils, explanatory of the great articles of the Christian revelation. “A great part,” says Archbishop Tillotson, “of the Roman faith is the same with ours,—as, namely, the articles of the apostles’ creed, as explained by the four first general councils. And these make up our whole faith, as far as concerns matters of mere, and simple, belief, that are of absolute necessity of salvation. And thus far, our faith, and theirs of the Romish church, are undoubtedly of equal authority; that is, as ancient as Christianity itself. And as for the negative articles of the Protes-

“ tant religion, in opposition to the errors,
 “ and corruptions, of the Romish faith,
 “ these are, by accident, become a part of
 “ our faith, and religion. When the addi-
 “ tions, which the church of Rome hath
 “ made to the ancient Christian faith, are
 “ pared off, that, which remains of their
 “ religion, is ours.” (Serm. 27.) But, in
 short, not only in relation to objects, which
 are deemed essential in Christian faith, does
 the established church profess its agree-
 ment with the church of Rome; but, in a
 great variety of its other articles, and insti-
 tutions:—insomuch, that, by the dissenters,
 it is usually denominated little else than a
 mere form of popery. And hence, with an
 agreement, such as this, it is, surely, as I
 have just said, inconsistent, as well as illi-
 beral, in the state, to treat the Catholic, as
 it does:—debarring him from all its favours;
 whilst it prodigally confers them upon men,
 whose belief and principles are in direct
 contradiction to its own.

V. But, it is apprehended, that, the eman-
 cipation of the Catholics might be injurious

to the established church. Unwise, and ill-founded, fear! For, how can it reasonably be imagined, that the admission of a mere handful of *lay-Catholics* to the *civil* benefits of the constitution (for, the Catholic *clergy* are to derive no privileges from the concession :) can possibly be dangerous to the church? Their admission to those benefits has nothing to do with the church: they neither pretend; nor design, to meddle, or interfere, in its regard,—either with its doctrines; its privileges; its property; its honours; or its tithes. And not only is this the case; but, they even solemnly declare it, with the sacred protestation of an oath. For, in the oath, prescribed to be taken, and actually taken, by the Irish Catholics,—from whom alone, on account of their numbers, if there were any danger, the danger must eventually come,—the Catholic swears,—“That he will defend, to the utmost of his power, the settlement, and arrangement, of property in that country, as established by the laws, now in being:—“That he disclaims, disavows, and solemnly

“ abjures, any intention to subvert the present
 “ church establishment, for the purpose of
 “ substituting the Catholic establishment in
 “ its stead :—That he will not exercise any
 “ privilege, to which he is, or may be, en-
 “ titled, to disturb, and weaken, the Protes-
 “ tant religion ; and Protestant government,
 “ in that kingdom.” Thus, what alone, in
 the event of their emancipation, the Catho-
 lics look for, is simply the enjoyment of
 their *civil* birthrights.

VI. But might not possibly, the *hierarchy*
 of the established church have something to
 apprehend, on the score of its *spiritual*
authority ; seeing, that the Catholics do
 not acknowledge, in it, any such divine
 prerogative ? Certainly not : for, although
 they may not acknowledge, in it, such pre-
 rogative ; yet, they do not pretend to in-
 terfere with it. They have nothing to do
 with it. And is it not, in reality, the case,
 that, not the Catholics only, but even the
 far larger portion of the whole nation,—the
 entire body of Dissenters, and Sectarists ;
 and in particular, the whole Kirk of Scot-

land,—refuse to own such prerogative, just equally with the Catholics? Such, no doubt, is the fact. And where, then,—if there be no danger, upon this score, from all these,—where can possibly be danger; or where the slenderest room for apprehension, from a trifling handful of Catholic *laymen*? Indeed, I suspect very strongly, that if the point were carefully investigated, how far the very members themselves of the church of England revere the *merely spiritual authority* of its pastors,—it would, most generally, be found, that their veneration for it is extremely slender. For, where are, now, those credulous, or submissive, individuals to be found, who consider themselves strictly obliged in conscience, either to believe any doctrine; or to observe any precept, upon the *merely spiritual authority* of those men? I suspect, no where. Consequently, the circumstance of simply not admitting the *spiritual authority* of the established hierarchy can afford no ground for rational apprehension from the Catholic.

VII. In relation to the ecclesiastical power, and jurisdiction, which the hierarchy of the established church enjoys, by virtue of its commission from the civil power;—as well as in regard of its revenues; its temporalities, its honours; and the various privileges, which it holds, dependant on the state,—these, since they are, all of them, entirely of a *civil* nature; and the creatures, and dependancies, wholly, of the civil authority,—so it is, consequently, manifest, that nothing can subvert these;—nothing, so much as weaken, or endanger, these, but what tends to subvert; to weaken; or endanger, the government itself.—The same observation is applicable, in like manner, to the forms of *discipline and worship*, of the church of England. For, as these, again, derive their force and stability from the state; and are regulated, and upheld *by acts of parliament*, so, these, too, of course, possess all that same protection; and enjoy all that same security, which defends the civil constitution, and all the various political institutions, of the kingdom.

From the cursory consideration; therefore, of these few observations, it must, I think, appear obvious to any mind, that is not the dupe of bigotry, or of strong religious prejudices, that the suspicions, which the Protestant entertains, on the subject of Catholic emancipation, are not only groundless, but absurd. As if,—as I have said already,—the admission of a few Catholics,—men, too, of acknowledged loyalty, and honour,—to the enjoyment of a few civil rights could possibly be injurious to a government, such as ours; or to its religion, so well protected! Preposterous idea! And, hence, how pitiful was the policy, which, actuated by this silly apprehension, induced our legislature, during its last session, to reject the claims of *but six* of our Catholic peers, petitioning to resume, once more, the hereditary seats of their noble ancestors, taken from them by an act of the most flagrant injustice and persecution. The petitioners were men, whose loyalty was not even called in question; men, inferior to none in the nation, in every

moral ; and in every mental, excellence ;—men, whose very names,—the noblest, and the brightest, that adorn our annals,—should render them dear to every lover of his country ;—names, connected, with every thing, that, in the ages of English heroism, is great, generous, and brave. However, it mattered not. Their claims,—merely because they are Catholics ; and because they have not the dreadful courage to swear, that the religion of the saints is idolatry,—their claims, upon this astonishing score, were rejected ! Men may reason, as they please : but, it is true, that England, notwithstanding all its boasted magnanimity, exhibits, in the treatment of its Catholic subjects, a spectacle of pitiful policy ;—a scene, which, now,—save in this country ;—is, nowhere else, to be met with ; a scene, which astonishes the wisdom of enlightened Europe ; and which is, certainly, a disgrace to its pretended generosity.

'Tis not the pay, our blood, and toils, deserve.

ILIAD.

VIII. But, although no danger might arise, either to the government, or to the religion, of the state, from the emancipation of the Catholic *laity*,—might there not, at least, arise some from the emancipation of the Catholic *clergy*?—To remove all the suspicions, and misgivings, of religious prejudice, is a task, which human wisdom would, in vain, attempt to accomplish. Hence, it is true, that the above question has been asked,—and this, too, frequently,—by a number of zealous protestants; and it has even excited their very serious apprehensions. I have just treated all the preceding motives for fear, as groundless. *This* I might treat, as ridiculous. It is, indeed, such. For, is it not ridiculous to imagine, that the stupendous fabric of the British empire, with all its bulwarks, and all its fences; or its church, protected as it is, by all the omnipotence of the state,—is it not ridiculous to imagine, that these may possibly be overturned by the feeble hands of a few feeble priests? If even it were true, that these men had the madness to enter-

tain so silly a design,—surely, there are in the hands of the government, sufficient means, and instruments, to check, and prevent, its mischiefs. However, the fact is, that there does not exist so much as one single reason to induce even bigotry itself to suspect, that the Catholic clergy, or even any portion of them, do entertain, I will not say, so preposterous a design, but even the mere will, or wish, or inclination, to disturb the present order, or institutions, of the state. Their whole conduct ; their well-attested loyalty ; their oaths ; and writings,—even their very impotence alone,—are sufficient to convince every reasonable mind of this. And, then, it is, also, the fact, that, in relation to the measure of emancipation, which would confer privilege, and influence, upon the Catholic laity,—this measure, would confer neither,—nothing, beyond what they now enjoy,—upon the Catholic clergy. At least, I am not aware, that any such fresh prerogatives are prepared, or designed, for them.

But, let the case be supposed, that there does really exist some share of danger from

these men :—then, I contend, the most effectual method of removing this, would be the very measure of emancipating their congregations,—giving back to the Catholic public the enjoyment of their rights, and privileges. Because this act of justice, doing away every motive for discontent ; and conciliating the public affections towards the state, would render at once, completely abortive every effort to disturb its harmony. It is the very measure, I have said before, which, as it would give additional strength, and security, to the government, would, therefore, give also additional security to the established church itself. So that if any thing ought to alarm the protestant, it is not the emancipation of the Catholic, so much as the denial of emancipation. But, I will venture to foretel this, —that, when the time comes,—as it will come, ere long,—when the fabric of the established church is assailed,—the tempest, which assails it, will not arise from the quarter of the Catholic clergy. These will, rather, in a variety of its doctrines, and in-

stitutions, be found its declared defenders. Because many of its doctrines, and institutions,—and indeed, whatsoever almost, in its creed, is of a *positive* nature,—are borrowed from our religion, and are the objects, equally, of Catholic veneration.

IX. In order, however, to prevent any possible mischief, or danger, arising from the Catholic priesthood,—or else, to appease the apprehensions of certain timid protestants,—it has been proposed to concede to the government a *Veto*, upon the nomination of our bishops. But, this, again, is a measure, which is just as little called for by the suggestions of protestant wisdom, as it is displeasing to the feelings of Catholic piety. The only motive, that can possibly appear to render it necessary, is the circumstance of thus securing the fidelity of these prelates. But, does, then, the government; or does even the most timorous protestant, suspect their fidelity? Has not their whole conduct, upon all occasions; and sometimes, upon very trying occasions, been constantly marked with even very singular

fidelity? And are not, too, their oaths, and protestations, sufficient pledges, to stay all suspicion of danger from them?

The circumstance, which renders the precaution displeasing to the Catholic, is simply this,—that it is an intrusion of the *civil* power, upon a right, or duty, which, in this country, in relation to the Catholic prelacy, is *purely spiritual*. For, the whole state, and condition, of the Catholic clergy,—as clergy,—is merely of this description. The powers, which we exercise, are neither derived from the state; nor invested with any civil formalities: neither have they any civil effects. For these reasons, the civil power ought not to claim any right,—as it can have no right,—either to determine, or to oppose, the nomination of the Catholic prelacy.—It is true, indeed, that it is an act of prudence in the state to adopt those measures, and precautions, which are conducive to its own tranquility. And, hence, it is an act of prudence, likewise, to take care, that such men only shall be appointed bishops in the Catholic church, as are

peaceable, and loyal;—men, to whose character no objection can be made, upon the score of any civil, or political, disaffection. All this is, no doubt, proper. But, then, the government,—which respects the just rights, and liberties, of its subjects,—may, very easily, effect all this, without intruding upon a matter which we deem *purely spiritual*.—But, at all events, if ever it should so happen, that any Catholic prelate, or Catholic pastor, is convicted of any breach of his allegiance; or of any civil crime, or misdemeanor, let him, in this case, like any other guilty subject, be visited by the severity of the laws. The state, in such case, may justly; and very easily, punish him. But, it has no just right to punish him for the peaceable performance of his spiritual functions; nor yet, to exclude him from their exercise.

X. Another circumstance, which excites the fears of certain Protestants, is the intercourse, which is, sometimes, carried on, between the Catholic subjects,—or rather the Catholic prelacy,—of this kingdom, and the

see of Rome. This, to the timidity of the above individuals, again, appears alarming. But, is there, then, in reality, one shadow of reason for such alarms? Is there any,—I will not say, *particular*,—but, *any* reason whatsoever, to suppose, that, in such intercourse, or correspondence, there is any thing said, or communicated, of a treasonable nature? In these times;—and circumstanced particularly, as this kingdom is,—it would be, both weakness, and folly, to suppose it. Indeed, so far is the see of Rome from encouraging any thing of this description, that it severely charges all bishops, and other correspondents, to abstain, in their communications with it, from every subject, that is of a civil, and political, nature. Hence, the correspondence, which our prelates maintain with the Holy See, relates solely to objects, that are spiritual. The briefs, and ecclesiastical instruments; and dispensations, which they receive from Rome, relate simply to the consciences of individuals; and are, frequently, of a very delicate nature. And surely, then, the wis-

dom of a British legislature would not, without some very urgent motive, restrain so harmless a correspondence : neither would it, from the mere possibility of a possible abuse, subject it to a painful inspection. Enlightened policy is not a suspicious thing ;—its prudence, not dark, and foreboding. Watchful, indeed, it, still, watches only over evils, which it has reasons to apprehend. It calculates from rational probabilities ;—not balancing possible disloyalty against manifest loyalty ; visions, against realities ; phantoms, against facts. True policy is liberal, and generous.

XI. The chief subject of alarm, however, which those entertain, or affect to entertain, who are peculiarly solicitous for the safety of the throne, and the security of its establishment,—is the supremacy of the Pope ; and the subjection of his Majesty's Catholic subjects, to what is called, a foreign jurisdiction. But, this is a point, which I have discussed, already. Hence, I need only remark,—that, although it be true, that his Majesty's Catholic subjects do acknowledge

the supremacy of the Pope, as well as his jurisdiction,—yet, is there nothing, in either of these circumstances, to awaken the Protestant's apprehensions. The supremacy of the Pope is a *purely spiritual* thing: and his jurisdiction, therefore, like his supremacy, is confined to *purely spiritual* matters. There is nothing, in all the plenitude of the papal power, that, either divides, or lessens, the civil allegiance of his Majesty's subjects. Not even does the Pope pretend to lay the slenderest claim,—as he certainly has not the slenderest claim,—to any portion of it. Hence, then, where even to the most timorous Protestant, can there possibly appear to be, at present, any room for apprehension from the Pope? It is not, as I have just said, from his spiritual power:—for, this has nothing to do with the civil order of things. It is not from his temporal power;—for, this, beyond the sphere of his own dominions, is none. If, once, indeed, the popes did assume to themselves the exercise of temporal power,—such exercise, however acquired, was unbecoming; and the causes,

which gave it to them, have, long since, passed away. If, at present, any pope were to pretend to arrogate it to himself, such pretence would serve only to manifest his own weakness; and to excite the public ridicule. In short, the idea of danger to the state; or the feelings of apprehension, from the papal power, are, in these days, objects, that should really awaken pity.

XII. If, however, notwithstanding all the above considerations,—notwithstanding the acknowledged loyalty of the Catholic body; and the sanctity of the pledges, which they have given to the State, of their fidelity,—if, notwithstanding the emptiness of all those pleas, by which, hitherto, the timidity of protestantism has opposed their emancipation,—if, notwithstanding all these considerations, the government, or the public, should deem it still necessary to require from them some farther security,—might not this be sufficiently found, in the general, and solemn subscription, for example, of a declaration, like the following? I present it, as an instrument, which, expressing the

character of Catholic principles,—every Catholic, I conceive, would subscribe,—if required,—with readiness:—and every Protestant,—if only he be liberal,—will, without hesitation, approve.

“ I., N. N. professing the Roman Catholic Religion, do, hereby, solemnly declare,—
 “ 1, That I acknowledge in the Sovereign,
 “ and in the constituted government of these
 “ realms, a supreme civil, and temporal,
 “ authority, which is entirely distinct from,
 “ and totally independent of, the spiritual,
 “ and ecclesiastical, authority of the Pope ;
 “ and of the Roman Catholic Church.”

“ 2. That neither the Pope ; nor any
 “ Prelate ; or ecclesiastical person, of the
 “ Roman Catholic Church, has, in virtue
 “ of his spiritual, or ecclesiastical character,
 “ any right to any civil, or temporal juris-
 “ diction ; power ; superiority ; preeminence ;
 “ or authority, within this realm : nor has
 “ any right to interfere, directly, or indirectly,
 “ in the civil government of the United
 “ Kingdom ; or of any part thereof : nor to
 “ oppose, in any manner, the performance

“ of the civil duties, which are due to his
 “ Majesty ; his heirs ; and successors, from
 “ all, or any, of his Majesty’s subjects : nor
 “ to enforce the performance of any *spiritual*,
 “ or *ecclesiastical*, duty, by any *civil*, or *tem-*
 “ *poral* means.”

3. “ That I hold myself bound, in con-
 “ science, to obey the civil government of
 “ this realm, in all things of a temporal, and
 “ civil nature, notwithstanding any dispen-
 “ sation, or order, to the contrary, had, or
 “ to be had, from the pope, or any autho-
 “ rity of the church of Rome.”

4. “ That as I am, in duty, bound, so I
 “ will abstain from all correspondence with
 “ the pope ; and with every other person
 “ whatsoever, which is of a treasonable ten-
 “ dency ; or injurious to the peace, and
 “ safety, of this kingdom :—That I will also
 “ make known to his Majesty, or to his
 “ government, all treasons ; conspiracies ;
 “ and other acts, or designs, against his
 “ sacred person ; or his government, which
 “ may come to my knowledge, by any
 “ means, (excepting only the secret means
 “ of sacramental confession.)”

5. "That I will not employ, or advise,
 "any means of open violence, or secret
 "fraud, to subvert, or disturb, the present
 "ecclesiastical establishments of the king-
 "dom."

6. "That I will not promote, or recom-
 "mend, any person to the office of a Catho-
 "lic bishop in the united kingdom, of
 "whose loyalty, and peaceable dispositions,
 "I have any reasonable doubt, or suspicion."

Such is the pledge, or declaration, which I propose to the serious consideration, both of the protestant, and of the catholic. It meets all the objections of the former. And it states, I think, correctly, all the civil principles of the latter. If, then, the government, in the event of our emancipation, do desire any farther securities from us, beyond such as we have given already, might it not find these ;—with satisfaction, both to itself, and to the public, in the adoption of such an instrument, as the preceding ?

